



PATENT  
Customer No. 22,852  
Attorney Docket No. 8717.0010

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
David J. KYLE ) Group Art Unit: Not yet assigned  
)  
Application No.: 10/654,985 ) Examiner: Not yet assigned  
)  
Filed: September 5, 2003 )  
)  
For: DELIVERY OF DISEASE )  
CONTROL IN AQUACULTURE )  
AND AGRICULTURE USING )  
MICROBES CONTAINING )  
BIOACTIVE PROTEINS )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed foreign patent documents and manuscripts, and a copy of copending application WO 02/076391 are enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines

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that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.


Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: January 14, 2004

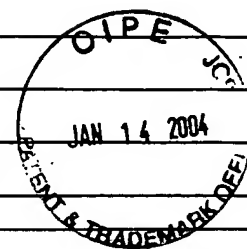
By   
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## INFORMATION DISCLOSURE CITATION

Atty. Docket No.	8717.0010	Appln. No.	10/654,985
Applicant	David J. Kyle		
Filing Date	September 5, 2003	Group:	Not Yet Assigned



## U.S. PATENT DOCUMENTS

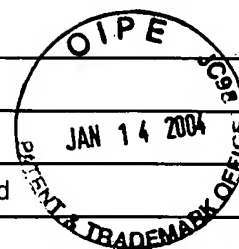
Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
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## FOREIGN PATENT DOCUMENTS

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WO 02 076391	Oct. 3, 2002	PCT			no
WO 01/96871	Dec. 20, 2001	PCT			no
WO 01/98335	Dec. 27, 2001	PCT			no
WO 02/15721	Feb. 28, 2002	PCT			no (English Abstract)
WO 90/07578	Jul. 12, 1990	PCT			no
WO 95/35389	Dec. 28, 1995	PCT			no
WO 97/14806	Apr. 24, 1997	PCT			no

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Examiner	Date Considered
<p>*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	
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